

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX ISSUE FEE, United States Patent and Trademark Office, Washington, D.C. 20231, on this 3<sup>rd</sup> day of MAY, 1999.



*Jean M. Bromert*  
Jean M. Bromert

Case 0737

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Dragan Misevic  
Pierre Desbons

**Art Unit:** 1649

**App. No.:** 09/036,242

**Examiner:** Thomas Haas

**Filed:** March 6, 1998

**For:** HYBRID MAIZE PLANT & SEED 36Y95

**TRANSMITTAL - AMENDMENT AFTER ALLOWANCE**

To the Assistant Commissioner for Patents  
BOX ISSUE FEE  
Washington, D.C. 20231

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MAY 10 1999  
Publishing Division

Dear Sir:

Enclosed herewith are the Amendment After Allowance and a copy of the receipt and viability statement for the deposit from the ATCC, in the above-identified application.

There is no fee due for this Amendment.

The Commissioner is hereby authorized to charge any patent application processing fees associated with this response, or to credit any overpayment, to Deposit Account 16-1852. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
DRAGAN MISEVIC  
PIERRE DESBONS

By *Jean M. Bromert*  
Jean M. Bromert  
Registration No. 42,362  
Attorney for Applicants

Pioneer Hi-Bred International, Inc.  
7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000  
Johnston, Iowa 50131-1000  
(515) 253-5870

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# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

The American Type Culture Collection (ATCC) has received your deposit of seeds in connection with the filing of an application for patent. The following information is provided to fulfill Patent Office requirements.

**Name and Address of Depositor:**

Pioneer Hi-Bred International, Inc.  
Attn: Jean M. Bromert  
7100 NW 62nd Ave, P.O. Box 1000  
Johnston, IA 50131-1000

**Deposited on Behalf of:**

Pioneer Hi-Bred International, Inc.

**Date of Receipt of Seeds by the ATCC:**

March 29, 1999

<u>Scientific Description</u>	<u>Depositor's Reference</u>	<u>ATCC Designation</u>
Hybrid corn (maize) seed	Source: C47HAW1 PDF, 36A43	203881
Hybrid corn (maize) seed	Source: C48HAJ PDF, 36Y95	203882
Hybrid corn (maize) seed	Source: C47HAB PDF, 38D66	203883
Hybrid corn (maize) seed	Source: C48HAR PDF, 33H67	203884
Inbred corn (maize) seed	Source: CH93FW4 MF, PHFW4	203885

**The ATCC understands that:**

1. The deposit of these seeds does not grant ATCC a license, either express or implied, to infringe the patent, and our release of these seeds to others does not grant them a license, either express or implied, to infringe the patent.
2. If these seeds should die or be destroyed during the effective term of the patent, it shall be your responsibility to replace them with living seeds of the same type. It is also your responsibility to supply a sufficient quantity for distribution for the deposit term.

Prior to the issuance of a U.S. Patent, the ATCC agrees in consideration for a one-time service charge, not to distribute these seeds or any information relating thereto or to their deposit except as instructed by the depositor or relevant patent office. After a relevant patent issues, and we are instructed to release the seeds, they will be made available for distribution to the public without any restrictions.

The ATCC agrees to maintain the seeds for a period of 30 years from deposit date, or 5 years after the most recent request for a sample, whichever is longer. We will inform you of requests for the seeds for 30 years from date of deposit. The seeds were tested April 6, 1999 and were viable.

American Type Culture Collection

By Barbara M. Hailey  
Barbara M. Hailey, Administrator  
ATCC Patent Depository

Date: April 7, 1999